

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



THURSDAY, NOVEMBER 19, 2009.

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JOURNAL OF THE HOUSE.

Thursday, November 19, 2009.

Met according to adjournment, at eleven o'clock A.M., in an Informal Session, with Mr. Donato of Medford in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Prayer was offered by the Reverend Robert F. Quinn, C.S.P., Chaplain of the House, as follows:

Most Gracious God, we begin each day with a prayer of thanks for Your many material and spiritual blessing which we often take for granted. We also pray for Your guidance during the course of the day as we address our daily tasks and many responsibilities. In our struggle to make right, just and ethical decisions we depend upon Your guidance in selecting options which are in accord with right reason and Your ways. In this time of political and social unrest in many areas around the world let our hearts and minds be filled with peace and happiness as we try to work together in resolving our own difficult social and public policy issues. May we join in a common effort to seek and respect objective truth in dealing with people and issues.

Grant Your blessings to the Speaker, the members and employees of this House and to their families. Amen.

At the request of the Chair (Mr. Donato), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Prayer.

Pledge of
allegiance.

Resolutions.

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

Resolutions (filed by Mrs. Haddad of Somerset) congratulating Andrew R. Correia on receiving the Eagle Award of the Boy Scouts of America;

Resolutions (filed by Mrs. Haddad of Somerset) congratulating Shaun M. Correia on receiving the Eagle Award of the Boy Scouts of America;

Resolutions (filed by Ms. Balser of Newton and other members of the House) commemorating the celebration of Chanukah 2009;

Resolutions (filed by Mr. Driscoll of Braintree) congratulating Archbishop Williams High School on the occasion of its sixtieth anniversary;

Resolutions (filed by Ms. Fox of Boston and other members of the House) celebrating November 20, 2009 as Adoption Day in Massachusetts;

Resolutions (filed by Mr. McMurtry of Dedham) congratulating Brad Baldwin on receiving the Eagle Award of the Boy Scouts of America;

Resolutions (filed by Mr. McMurtry of Dedham) congratulating Scott Delisle on receiving the Eagle Award of the Boy Scouts of America; and

Resolutions (filed by Ms. St. Fleur of Boston and other members of the House) recognizing Carole "Maroule" Demesmin Arty.

Mr. Binienda of Worcester, for the committee on Rules, reported, in each

Andrew R.
Correia.

Shaun M.
Correia.

Chanukah.

Archbishop
Williams High.

Adoption
Day.

Brad
Baldwin.

Scott
Delisle.

Carole "Maroule"
Demesmin Arty.

instance, that the resolutions ought to be adopted. Under suspension of the Rules, in each instance, on motion of Ms. Provost of Somerville, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Petitions.

Representative Scaccia of Boston presented a petition (subject to Joint Rule 12) of Angelo M. Scaccia for legislation to establish a sick leave bank for Vanessa Williams, an employee of the Division of Medical Assistance, and the same was referred, under rule 24, to the committee on Rules.

Vanessa Williams,—
sick leave.

Mr. Binienda of Worcester, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending that Joint Rule 12 be suspended. Under suspension of the rules, on motion of Mr. Scaccia of Boston, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service. Sent to the Senate for concurrence.

Papers from the Senate.

Bills

To amend the enclosure for public and semipublic outdoor inground swimming pools (Senate, No. 916) (on a petition); and

Swimming
pools.

Regulating secondary metals dealing (Senate, No. 2191, amended in section 2, line 36, by inserting after the word “commonwealth” the words “, in accordance with accounting standards proscribed by the comptroller,”; and in section 3, in line 246, by inserting after the word “treasurer” the words “, in accordance with accounting standards proscribed by the comptroller”) (on Senate, No. 183);

Secondary
metals.

Severally, passed to be engrossed by the Senate, were read; and they were referred, under Rule 33, to the committee on Ways and Means.

Bills

Authorizing a land acquisition fund in the town of Middleborough (Senate, No. 2139, amended by striking out section 1 and inserting in place thereof the following section:

Middleborough,—
land.

“SECTION 1. Notwithstanding any general or special law to the contrary, there shall be established in the town of Middleborough a Land Acquisition Fund into which shall be deposited all roll-back taxes paid to the town pursuant to section 7 of chapter 61, section 13 of chapter 61A and section 8 of chapter 61B and all conveyances taxes paid to the town pursuant to section 6 of said chapter 61, section 12 of said chapter 61A and section 7 of said chapter 61B.”) (on a petition); and

Designating a certain bridge in the city of Taunton as the SGT Shane Duffy Bridge (Senate, No. 2203) (on Senate, No. 1951);

Taunton,—
Duffy bridge.

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Engrossed Bill.

The engrossed Bill relative to the Sandwich Visitor Services Board (see Senate,

Bill
enacted.

No. 2074) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Orders of the Day.

The House Bill establishing a sick leave bank for Christopher Sandiford, an employee of the Department of Transitional Assistance (House, No. 4333) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

Third
reading
bill.

The House Bill establishing a sick leave bank for Jeanette Ross, an employee of the Trial Court (House, No. 4311) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time.

Jeanette
Ross,—
sick leave
bank.

Pending the question on passing the bill to be engrossed, Ms. Fox of Boston moved to amend it by inserting before the enacting clause the following emergency preamble:

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is to establish forthwith a sick leave bank for a certain employee of the trial court, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”.

The amendment was adopted; and the bill (House, No. 4311, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Recess.

At nineteen minutes before twelve o'clock noon, on motion of Mr. Peterson of Grafton (Mr. Donato of Medford being in the Chair), the House recessed until twenty-five minutes before three o'clock P.M.; and at that time the House was called to order with Mr. Donato in the Chair.

Recess.

Paper from the Senate.

The House Bill establishing fiscal stability measures for fiscal year 2010 (House, No. 4359) came from the Senate passed to be engrossed, in concurrence, with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2218.

Fiscal
stability.

Under suspension of Rule 35, on motion of Mr. Murphy of Burlington, the amendment (reported by the committee on Bills in the Third Reading to be correctly drawn) was considered forthwith; and it was adopted, in concurrence.

Recess.

At twenty minutes before three o'clock P.M., on motion of Mr. Murphy of Burlington (Mr. Donato of Medford being in the Chair), the House recessed until

Recess.

twenty-five minutes after four o'clock P.M.; and at that time the House was called to order with Mr. Donato in the Chair.

Emergency Measure.

The engrossed Bill establishing fiscal stability measures for fiscal year 2010 (see House, No. 4359, amended), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

Fiscal
stability.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 2 to 0. Sent to the Senate for concurrence.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the House) was passed to be enacted; and it was signed by the acting Speaker and Senate to the Senate.

Bill enacted.

Order.

On motion of Mr. DeLeo of Winthrop,—

Ordered, That when the House adjourns today, it adjourn to meet on Monday next at eleven o'clock A.M., in an informal session.

Next
sitting.

At twenty minutes before five o'clock P.M., on motion of Mr. Peterson of Grafton (Mr. Donato of Medford being in the Chair), the House adjourned to meet the following Monday at eleven o'clock A.M., in an Informal Session.